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# No Child Left Behind

## A Legislative Catalyst for Superintendent Action to Eliminate Test-Score Gaps?

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Proponents of No Child Left Behind (NCLB) hail it as vital legislation that supports a civil rights agenda because of explicit recognition that achievement gaps are unacceptable. One way to make sense of NCLB's impact on school divisions and to understand whether NCLB recognizes the complexity of why minority and low-socioeconomic-background students often struggle in schools is to look through the lens of superintendents. District leaders, as moral agents, are tone setters for change in schools and negotiators and enactors of state and federal policies. This study explores how NCLB has affected achievement gaps in Virginia and not only investigates how superintendents have made sense of the federal legislation but also seeks out strategies employed by district leaders that target minority groups and the elimination of the achievement gap. Critical race theory allows consideration of superintendent perspectives across issues such as race, racism, poverty, class, power, test scores, and dominant assumptions.

**Keywords:** *NCLB; leadership; superintendents; achievement gap*

The No Child Left Behind (NCLB) Act of 2001, signed into law January 8, 2002, is the most comprehensive federal legislation, some say incursion, since the Elementary and Secondary Education Act of 1965. It is considered revolutionary because of its unparalleled attention to achievement gaps. At the time of the implementation of NCLB, Virginia was no stranger to standards and accountability measures. In fact, Virginia's formal attention to accountability began a decade ago with the Virginia Accountability Initiative (VAI; Duke & Reck, 2003). In many states, NCLB forced accountability that was nonexistent. However, Virginia had already initiated rigorous accountability policies and had also created what is considered by many to be a comprehensive curriculum outlined in the Standards of Learning (SOL). But although Virginia was miles ahead of many other states in terms of educational accountability, no policy measures were in place requiring attention to achievement

gaps between groups of students. The American educational system has received much criticism for this lack of concern regarding gaps and has been described by many as nothing more than a sorting mechanism for society at large (Gatto, 1991; Kozol, 2005). According toSizer (2004),

The measure of the worth of a society is how it treats its weakest and most vulnerable citizens. . . . By this standard, America—the richest nation in the history of the world—falls visibly short. . . . We are long on rhetoric and short on resolute action. The gap between our articulated ideals and our practice is an international embarrassment. (p. xvii)

NCLB sets forth a thorough framework for states that includes school report cards, disaggregation of data, school choice, and remediation via tutoring, all through a system of rewards and sanctions. Its adequate yearly progress (AYP) component has been under substantial scrutiny. Proponents of NCLB hail it as a vital piece of legislation that supports a civil rights agenda because of explicit recognition that achievement gaps are unacceptable. After all, who can object to the principle of leaving no child behind? According to Wood (2004a), the legislation, in theory, seeks to keep the historic promise that

began with Thomas Jefferson's proposal for the first free system of public education in Virginia; a promise offered as the balance wheel of society by the first state superintendent of education, Horace Mann; a promise put forward as the most basic of human rights by W. E. B. Dubois. (p. vii)

However, Wood (2004b) also states that although “many of the supporters of NCLB have good intentions . . . unfortunately, their intentions have been hijacked by a one-size-fits-all, blame-and-shame agenda” (p. 50).

Many question the basic assumptions of accountability systems because of heavy reliance on numbers, test scores, and single measures (Herrington, 1993) to assess student achievement and are wary of NCLB having the actual impetus to advance education as a public good for all students (Easley, 2005). According to Fusarelli (2004),

Because NCLB mandates equal outcomes for everyone, the law is national in scope and assumes that all schools—wherever located—will have the capacity to educate all students to adequate levels of proficiency. (p. 84)

Furthermore, although the NCLB legislation received bipartisan support in the shadow of the national tragedy of September 11, 2001, numerous educators have expressed concern that the continuous focus on school failure serves more as political leverage for each administration (Easley, 2005) rather than a

true impetus for increased student achievement. In fact, one hidden political agenda that has received the most attention was the initial effort for school vouchers to be used for private school attendance through the legislation shifting public school funding to the private sector (Wood, 2004a).

Although NCLB can certainly be applauded for its explicit attention to achievement gaps, it fails to recognize the complexity of why minority students and students from low socioeconomic backgrounds often struggle in schools. According to Darling-Hammond (2004), "The biggest problem with the NCLB Act is that it mistakes measuring schools for fixing them" (p. 9). The legislation makes the erroneous assumption that all schools have the capacity for positive reform. From lower teacher expectations (Ferguson, 2003) to lack of exercise of choice by parents (Ridenour, Lasley, & Bainbridge, 2001) to racist attitudes and assumptions (Grogan & Sherman, 2003; Lipman, 1998), no single factor contributes to achievement gaps and to the lack of capacity for change. The problem runs much deeper than that which a policy, such as NCLB, alone can change or that which public schools as the hailed equalizer can change alone. According to Malen and Rice (2004), high stakes accountability initiatives do not guarantee positive changes; test scores do not necessarily equate with quality schooling. In fact, NCLB may weaken capacity because of its punitive sanctions, and it is questionable whether the federal legislation has facilitated the cultural competence needed to cross racial barriers.

One way to make sense of the level of impact NCLB has had on school divisions is to look through the lens of superintendents, particularly in light of current instructional leadership expectations. District leaders, as moral agents, are tone setters for change in schools and negotiators and enactors of state and federal policies. "High stakes accountability reforms can not realize their stated aims unless targeted schools have or acquire the capacity to meet prescribed performance standards" (Malen & Rice, 2004, p. 632). Superintendents are vital pieces of the capacity puzzle.

## **Superintendents as Instructional Leaders**

Superintendents are key negotiators and implementers of policy and serve as crucial linkages between policy and action (Hallinger & Heck, 1998). NCLB heavily depends on the ability of schools and districts to enact policies, and this is most effectively done through collaboration among superintendents, building administrators, boards, and community members (Bjork, Lindle, & Van Meter, 1999; Grogan, 2000; Grogan & Blackmon, 2001; Shibles, Rallis, & Deck, 2001). Although superintendents cannot achieve school reform and,

in turn, increased achievement for all students alone, they must provide visions of change for stakeholders and serve as political activists (Bjork & Gurley, 2005).

It is clear that a shift has occurred regarding expectations of superintendents as the pressure to measure accountability through standardized testing has increased. Currently, superintendents are expected to demonstrate competency as instructional leaders working for the good of all children (Ashbaugh, 2000; Bjork, 1993; Brunner, Grogan, & Bjork, 2002; Kowalski, 2005; Petersen & Barnett, 2005). In fact, the contemporary superintendent guidelines of the American Association of School Administrators (Department of Education, 2000) maintain that superintendents must serve their districts in curriculum planning and development and in instructional management. They are expected more than ever before to be aware of the achievement of all groups of students as measured by standardized tests. According to Grogan and Sherman (2003),

Superintendents must be dedicated to the continuous improvement of all schools and diverse populations of students in their districts. Superintendents, as instructional leaders, must also be attuned to test-score data and discrepancies that may exist between various racial groups if they want to be sure that all students have a chance of reaching their potential. (p. 231)

Superintendents' worldviews and ways of sense making affect their reform efforts (Wills & Peterson, 1995). Superintendents no longer have the choice of whether or not to name discrepancies in test scores among students. NCLB unequivocally requires them to perceive gaps in achievement among diverse populations of students as problematic and unjust. Prior to NCLB, there was little evidence that superintendents were working to eliminate inequities among racial and cultural groups of students (see Grogan & Sherman, 2003). However, according to Kowalski (1999), "Superintendents must be the primary catalyst for change" (p. 50). To do so, they must direct and implement instructional strategies that will address the needs of those students who have been less well served by past policies and practices, many of whom are still currently being underserved.

## **Superintendents and the Achievement Gap Prior to NCLB**

During 2000-2001, Grogan and Sherman (2003) conducted a study of superintendents' perspectives in Virginia surrounding the Black-White

test-score gap. At the time, during the initial stages of the VAI, the majority of superintendents had minimal knowledge of test-score gaps in their districts and, in turn, were doing little to alleviate it. Data revealed a gap that was consistent over 3 years (1998-1999, 1999-2000, 2000-2001) of SOL testing as large as a 30% point difference on single tests between African American students and Caucasian students. In only two districts was there evidence of a five percentage point or greater decrease in average scores during the period.

Grogan and Sherman (2003) revealed that many of the superintendents interviewed discussed racial tensions in their communities that were rooted in racist practices invisible to many and the awareness that teacher expectations were often lower for African American students. However, because school districts were struggling at the time to reach the mandated 70% passing rate for accreditation, attention to gaps, minority populations, and low-performing groups took a backseat to raising scores for students overall. All of the superintendents had initiated programs to raise scores for all students (i.e., before- and after-school tutoring programs, summer school, professional development for teachers, curriculum alignment). However, fewer than half of the superintendents interviewed had knowledge of whether or not there was a gap in test scores in their districts. Furthermore, most school boards had never asked for this information. In fact, most superintendents reported that their communities were not open to discussions of test-score gaps.

Only three superintendents at the time were dedicated to taking action against the Black-White test-score gap in their districts. Two superintendents reported strategies specifically aimed at eliminating the achievement gap, and one spoke of strategies to increase the graduation rate of African American students (i.e., cultural sensitivity training for teachers, mentoring programs for minorities, minority achievement coordinators, community centers, college preparatory programs for African American youths, personalized educational settings, training in data analysis for teachers and administrators). District demographics did not account for superintendent action to reduce the gap. However, in the three districts where action was taken, each superintendent publicly acknowledged the achievement gap in the district, each superintendent believed that schools could make inroads at decreasing the gap, and communities were willing to discuss the achievement gap. In light of the more recent study reported here, Grogan and Sherman's (2003) findings help readers understand and contextualize differences over time, particularly with the implementation of federal mandates that draw attention to achievement gaps and force action to eliminate them.

## Understanding the Achievement Gap

Explanations of achievement gaps are much more complicated than once believed. African American students in particular perform lower on standardized tests than do Caucasian students (Jencks & Phillips, 1998; Singham, 1998). More appalling is the fact that the achievement gap widens throughout K-12 education and actually increases the longer students remain in school. Despite claims that genetic predispositions, such as race, affect cognition (Hernstein & Murray, 1994), no supporting evidence exists (Jencks & Phillips, 1998). Many scholars are beginning to understand the complexity of factors, many environmental, that interact to create and sustain achievement gaps. To further complicate an understanding of the achievement gap, African Americans are 3 times more likely to come from poverty than are Caucasians (Viadero, 2000). And some scholars and practitioners feel more comfortable attributing gaps to poverty and low socioeconomic levels. However, the achievement gap exists despite instances of the equal schooling and occurs irrespective of class (Johnston & Viadero, 2000; Zernike, 2000).

According to Lipman (1998), teacher expectations for students often operate on a deficit model that attributes the low achievement of minority students to socioeconomic conditions and lack of parent concern for education. It is crucial that in efforts to reach goals set forth in NCLB, educators do not treat differences as deficits (Delpit, 1995; Hunter & Bartee, 2003). Teachers must believe students can succeed (Bainbridge & Lasley, 2002). According to Ferguson (2003),

No matter what material resources are available, no matter what strategies districts use to allocate children to schools, and no matter how children are grouped for instruction, children spend their days in social interaction with teachers and other students. (p. 461)

Unfortunately, a self-fulfilling prophecy that serves to sustain the gap, based on negative teacher expectations and assumptions about minority students, often occurs (Ferguson, 2003, p. 495). Gaps cost the nation as a whole, not only financially but also in terms of human capacity and productivity (Miller, 1995). "The ability of the United States to continue as a powerful nation, in many ways, resonates within its capacity to provide quality education" (p. 157).

## Purpose of the Study

In general, positive outcomes of the NCLB federal legislation include high expectations for all students, the casting of a shameful light on deficit

assumptions, attention to data and, in turn, gaps, and a focus on ethical leadership practice (Skrla, Scheurich, Garcia, & Nolly, 2004). Negative outcomes include the “all-or-nothing” approach to accountability, the allowance for states to set different standards resulting in some states reaching for much lower goals than others, and a “blaming the victim” mentality by many because of the fact that one subgroup can determine the fate of an entire school on accountability pass–fail measures. Questions now center on whether or not school officials have behaved differently with disaggregated data reports and whether the visibility of minority groups has increased (Herrington, 1993). Therefore, the purpose of this study is to explore how NCLB has affected achievement gaps in school districts across Virginia and not only to investigate how superintendents have made sense of the federal legislation but also to seek out strategies employed by district leaders that target minority groups and the elimination of the achievement gap.

## Method

I designed an ethnographic study of superintendents in Virginia during 2005–2006 to explore their perceptions of the NCLB Act and its effects on school districts with a particular focus on achievement gaps between ethnic groups. Research questions included,

- How has NCLB affected the achievement gap in districts?
- How are superintendents and communities making sense of the federal NCLB legislation?
- What strategies and programs, if any, are specifically targeted at minority populations for the purpose of eliminating the gap?

An ethnographic method for data collection was preferred because of the difficulty that exists in deriving meaning from experimental research. Furthermore, the research topic demanded the posing of questions, such as, What do superintendents know about the culture of schools that I can understand? What are superintendents’ assumptions, and how do they understand and clarify their experiences as district leaders? How do superintendents define and explain issues such as the achievement gap and accountability policies?

In this investigation, 12 current superintendents, 7 males and 5 females, were interviewed in individual sessions of approximately 60 to 90 minutes. The majority of interviews were conducted in person. However, a small number were conducted via telephone to accommodate superintendent schedules. The



method of data collection was based on McCracken's (1988) four-step description of the one long interview. I began with a review of the literature on NCLB, accountability, achievement gaps, and leadership issues while also conducting a self-examination of my own personal assumptions and views. Self-examination prepared me for what I might look for during data analysis and guided my choice of critical race theory (CRT) as a theoretical lens from which to interpret data gained. According to McCracken, researcher self-examination promotes a clear personal vision that, in turn, allows for a critical distance between researcher and data. Next, a questionnaire was developed with grand or overarching questions followed by floating prompts (see the appendix). Finally, interviews were conducted simultaneously with data analysis to allow for the emergence of categories and relationships in relation to what the literature says and in relation to CRT.

Initially, 20 superintendents were selectively chosen (Patton, 1990) based on the desire that participants represent a cross-section of the state, including rural, urban, and suburban districts; small-, medium-, and large-size districts; men and women; and varying student populations. In contrast to quantitative research procedures, data analysis was conducted throughout the interview and data-collection process, as is typical of qualitative research inquiries. I continued to interview superintendents until data saturation was reached (at 12 superintendent interviews) and I was no longer hearing or seeing new information for analysis purposes. After interviewing 60 participants for a study, Guest, Bunce, and Johnson (2006) found that basic themes were present after as few as 6 interviews and that data saturation occurs within the first 12 interviews.

Participants were selected from districts with student bodies as few as 9% minority to several "majority minority" districts with more than 70% minority. However, the majority of superintendents represented districts where at least 30% of the student body was minority. Most superintendents described their minority populations in terms of African American students only. When asked to report student race and ethnic breakdowns, there was often no recognition of the distinctions among minority groups. Women superintendents most often represented rural districts, whereas men superintendents represented rural, urban, and suburban districts.

Superintendents were initially contacted by telephone and informed of the purpose of the study. Participation was voluntary. Interviews were conducted with the use of a standardized, open-ended interview guide (Patton, 1990) to ensure that all respondents addressed the same issues. Open-ended questions were used to allow respondents the freedom to speak in their own voices and to elaborate on their perceptions of NCLB in their districts. Notes

and analytic memos (Maxwell, 1996) were taken during each interview session, and all interviews were audiotaped and transcribed. To cross-check the accuracy of superintendents' statements (LeCompte & Preissle 1993), triangulation was achieved by the analysis of documents provided by the Virginia Department of Education that reported SOL test scores disaggregated by race for the years 2000-2001, 2001-2002, 2002-2003, 2003-2004, and 2004-2005.

## Theoretical Framework

CRT, which began in the legal arena with activists such as Derrick Bell, Alan Freeman, and Richard Delgado working to transform racism and power, spread in the past decade to the education discipline. Scholars in education have begun to utilize CRT to understand issues in curriculum and achievement testing (Delgado & Stefancic, 2001). CRT is a more inclusive theory that expands on two previous movements: critical legal studies and radical feminism. According to Delgado and Stefancic (2001), CRT makes use of legal indeterminacy and allows for the recognition that not every case has one correct outcome (i.e., equity is not necessarily equated with equal treatment for students), a basic premise of critical legal studies. In addition, CRT has built on feminists' wisdom regarding power and dominant discourses (i.e., educational administration has not included the voices of many).

According to Delgado and Stefancic (2001), CRT rests on the following basic tenets: (a) racism is ordinary and an everyday experience for people of color (i.e., racism is a commonsense way of understanding and acting), (b) binary oppositions between White and Black serve elite interests and specific purposes in society, (c) the notion of "race" is socially constructed, (d) differential racialization occurs as attention to minority groups shifts at different times in society, (e) subjectivity is recognized as is the intersectionality of multiple identities, and (f) people of color have the unique ability to communicate their experiences to their White counterparts. Understanding of the above tenets alone will not work to challenge dominant ways of thinking. "Only aggressive, color conscious efforts to change the way things are will do much to ameliorate misery" (p. 22).

CRT in educational research challenges dominant thoughts about color-blindness (Bernal, 2002), allows for multiple interpretations of data, recognizes the importance of experiential knowledge, challenges traditional ways of knowing, emphasizes a commitment to social justice, and recognizes the intersection of various forms of subordination and oppression (i.e., race, racism,

gender, class; Solorzano & Yosso, 2002). For the purposes of this article, CRT allowed me to consider superintendent perspectives across issues such as race, racism, poverty, class, power, test scores, and dominant assumptions.

## Limitations

Findings are bound to the superintendent participant population and the districts they served at the time (Lincoln & Guba, 1985) because of the nature of qualitative research. No true generalizations are possible because of the socially constructed and situation-specific ways of understanding and conducting naturalistic research. It is also acknowledged that there are multiple ways of understanding and interpreting the data collected during this study (Bogdan & Biklen, 1992). Instead, the obligation of the qualitative researcher is to attempt to create transferability to readers of the study by providing thick description and the details of purposeful sampling (Lincoln & Guba, 1985). In addition, trustworthiness was attempted through data triangulation, peer debriefing, and member checks throughout the interview process (LeCompte & Preissle, 1993).

## Findings

Superintendent participants represented student populations ranging from a total of fewer than 900 students to greater than 70,000 students. Four districts were described as rural, two as rural “bedroom” communities, three as either rural or suburban or as districts with pockets of rural, suburban, and urban areas, two as urban, and one as both urban and suburban. Eight districts had minority populations of 30% or greater, with six superintendents reporting minority populations of 50% or greater. Six superintendents reported ethnic groups as including African Americans and “others.” Only two reported minority populations in terms of various ethnic categories (i.e., African American, Native American, Asian, Hispanic). Three of the districts were undergoing a change from traditional African American majority school populations to majority Caucasian populations. Several superintendents purported this effect to their districts changing from traditional rural communities to “bedroom” communities serving surrounding metropolitan areas. Communities ranged from extremely poor (more than 70% poverty) to some of the wealthiest in Virginia. Many of the smaller, rural communities reported large unemployment rates, high percentages of adults in the community without high school degrees, and low adult literacy rates.

Superintendent tenure in their current districts ranged from less than 1 year to more than 10 years. When asked to report tenure in their current districts, most superintendents took great pride in stating that their years in education were extensive. More than half of the superintendents interviewed reported more than 30 years in education; many of these years were spent at the classroom or building levels as principals. All superintendents were serious about their duties as instructional leaders. However, only those in smaller districts reported actually serving as instructional models. Superintendents in larger districts reported the need to oversee instruction through competent central office teams serving more as “tone setters.”

For the purposes of this report, findings were grouped under the following themes related to superintendent perceptions of and experiences with NCLB and disaggregated test data: (a) visions of accountability and expectations for students, (b) sense making, (c) consequences, (d) activism, and (e) SOL test score data.

## **Visions of Accountability and Expectations for Students**

It is clear that each of the superintendents holds a vision of success for all students in their districts. When asked about their beliefs regarding setting high standards for all students, many superintendents positively responded to the changes NCLB has brought in terms of AYP requirements. According to two superintendents of small, rural districts,

With the SOLs that the state put together, most teachers were happy if they had 70% of their students passing. But, that means that 30% are not passing! So, you cannot forget those kids.

Are you willing for 5 children out of every 20 to fail each year? Which five are you going to pick? This is what the SOLs allowed us to do.

However, all superintendents shared high levels of frustration with holding students with special needs to the same expectations as other students.

I don't think NCLB is a realistically attainable goal because of the fact that you have kids with learning disabilities . . . and to put them on the same level with other students, that's a disservice to them. (Superintendent of a large, urban district)

By definition, if someone has a learning disability, then, as a general rule, it is going to take them longer to learn materials than others. That's the definition

of their handicapping condition. So to hold them accountable for achievement is extremely important. But to put the same standards there, I think it's an issue. I don't hear people having issues with closing achievement gaps. (Superintendent of a small, rural district)

I have no problems with the concept of NCLB. I do have a concern when you put subgroups such as special education and ESL as part of that computation or to find out if the school is failing or not. I think that's really unfair. (Superintendent of a large, urban district)

Thus, rather than expressing concern with meeting the needs of minority populations of students, most superintendents related frustrations in regard to the special education and English as a second language (ESL) populations. And although they articulated anxiety because of AYP, superintendents voiced unease not in regard to setting higher standards but to holding special-needs populations to the same standards as all students.

The majority of superintendents of large and small, urban, suburban, and rural districts reported having to work to change teacher perceptions where student expectations are concerned. According to two superintendents of large urban districts,

I think it's a mind-set, a change in the way we believe and the culture that we unfortunately had gotten ourselves into—that our belief system was that kids from low SES levels won't be as successful as those from higher SES backgrounds.

The culture in our schools has had to change. The first thing, it's the belief system of teachers that those kids that come to us that may not have all the advantages that you or I may have had as we were growing up—support at home, etc.—can really be successful. I think that's really with more the veteran teachers than it is with the newer teachers.

Another superintendent in a small, rural district stated, “We had to work through the notion that failure is not an option. And, we still have some work to do.” Another superintendent stated the belief that “minority students have every opportunity to be as successful as everybody else if we [teachers and administrators] believe that they can do that and we hold those expectations and make them believe it.” One superintendent of a large suburban district seemed to take the understanding of the complexity of teacher expectations even further and stated,

In some schools across the South, they still have racist teachers that still believe poor kids, Black kids, or other kids—people of color—then you have to deal

with lower expectations. And I don't think our expectations automatically come just because of the law.

When asked why students of color or from low socioeconomic backgrounds often struggle in schools, the majority of superintendents were uncomfortable recognizing the notion that achievement gaps have anything to do with race or ethnicity. Superintendents were much more comfortable attributing gaps to poverty. According to one superintendent of a small, rural district,

I believe that all students can learn equally, and I don't see that there's any difference in race as far as students' ability to learn. What I think, I guess, is more connected to the SES of students in terms of exposure that students have had when they come into school.

Another superintendent of a large, urban district spoke in similar terms:

I don't think the gap has anything to do with race. I think it's socioeconomic status and would much prefer that people start concentrating on that than having this race thing as an inhibitor.

## Sense Making

Superintendents were asked to relate how they have made sense of the federal NCLB legislation and how boards, communities, parents, and teachers have made sense of the policies and mandates. Most superintendents interviewed were able to speak about positive changes that have occurred in districts since the implementation of NCLB. However, one superintendent of a rural district with minority and poverty rates above 70% was extremely frustrated because of legislation that has left the district reeling and without adequate funds to conquer all of the problems in the district. This superintendent spoke quite candidly and found it very difficult to find anything positive to say about NCLB because support systems were not in place. In a different light, according to a superintendent of a small, rural district with less extreme funding needs,

My feeling is that SOLs are a good thing and I believe that NCLB—if there are some reasonable things done like working on kids being able to take retests, helping to have a more realistic approach to special-needs students and rethink the idea of having a ceiling—I think anytime you aspire to get 100%. . . . I mean, we can't get 100% of people to wear seat belts or brush their teeth in the morning, so my sense is that there have got to be some things done by the government to make it more reasonable.

Levels of stress were directly related to superintendent perceptions of adequate funding and the percentages of minority and poverty populations the district was serving. No superintendent believed that NCLB has been adequately funded. And few had found more flexibility in terms of how their funds were directed. Nonetheless, the majority of superintendents believed funding had, to some extent, increased and that they were doing the best they could with available resources.

Positive sense making of NCLB also related to whether or not superintendents reported attending to achievement gaps prior to AYP. Those superintendents who reported looking at achievement gaps for many years prior to NCLB expressed resentment at the federal intrusion and punitive measures. However, in those districts where superintendents had never attended to gaps, sentiments were more positive:

I'm supportive of NCLB, and I do believe that it has encouraged school systems across the country to work even harder to be sure students are successful in these subgroups because while we were doing well before, we were just looking at averages. But when you break it down by subgroups, we weren't doing as well. (Superintendent of a small, rural district)

Superintendents were wary of intentions that, they believe, were not well hidden in the NCLB legislation. One superintendent of a medium-sized, rural and suburban district put it this way:

NCLB features unprecedented federal intrusions into local decision making; thus, you experience the incredible reaction/trepidation expressed by the state legislatures and local school boards. There is a view that the amount of federal funds we receive is quite small for us to have to submit to so much federal control. Nevertheless, we think that the law is a good one in that it helps us maintain the focus on the performance of traditionally underachieving populations.

Another superintendent of a small, rural district refused to give much credence to NCLB:

I feel basically it was a punitive effort to bring in vouchers and choice for private schools. . . . I've been present in conversations where it has been implied that passing this legislation was a way to show we could still function as a Congress without anyone really reading it.

Yet another superintendent of a large, suburban district stated,

I was focusing on issues of diversity long before NCLB came along and it was politically correct to talk about that. And the people who crafted that legislation, not one of those staffers has ever darkened the door of a public school. Most of them were private school products. [NCLB] is a political document and, for the most part, bad law.

In addition, another superintendent of a large, suburban district who said that most superintendents who have criticized the law have sought simply to bring common sense to the law stated that NCLB would make sense only if the following occurred:

We pass a law that says in the Congress of the United States, 95% of the 150 attorneys have to win 100% of their cases, 95% of the doctors have to heal 100% of their patients, 95% of the business people have to create products that are 100% defect free.

Finally, although superintendents reported that teachers and administrators have an ever-increasing understanding of NCLB, communities, parents, and boards have a way to go. Most superintendents believed that although parents had a basic level of awareness of NCLB and AYP, they really did not care about anything outside of seeing their children's school accredited on school report cards. When speaking about board levels of understanding, one superintendent of a smaller, urban district stated,

I think the board has an understanding, as much as the board can have an understanding, of what's taken place. The bottom line is that they want all of the schools accredited and to have everyone make AYP—that's what they really understand.

In other words, a deeper level of understanding in terms of building cultural capacity had not taken place. Achievement gaps were looked at, measured, and understood only through test-score data. Furthermore, most communities, including parents and school boards, although they had surface levels of understanding, failed to understand the complexity of the achievement gaps.

## Consequences

Not one superintendent felt that NCLB was the catalyst for change in practice except for disaggregation of data in some cases. All superintendents believed that the precursor to change came in the form of the SOL and the initial accountability plan in Virginia. Holistically thinking in terms of



accountability (both the SOLs and NCLB), superintendents believed that more in-depth conversations and a level of accountability never experienced before were occurring in districts. And, according to one superintendent, “I can tell you that by and large, we [superintendents] have not complained about having standards or having to meet accountability measures.” Several others shared their beliefs in regard to positive changes:

I think you’re seeing more differentiation of instruction. I think you see a lot of analysis of instruction and assessing what students have learned—reteaching using different methods, sharing of ideas, staff development, etc.—much more so than in the past. I’m sure it’s related to a degree to the accountability of NCLB, but it’s something that, hopefully, we would have done in the first place. (Superintendent of a smaller, urban district)

You meet 65% of your kids for AYP and you jump up and down and think that’s great. But 32% of your kids weren’t on grade level, so why are you celebrating? We’ve still got work to do! (Superintendent of a large, urban district)

I like the fact that we’re asked to look at subgroups and separate out groups because we weren’t doing that before. . . . It makes us instruct our students differently. We’re doing a lot more of analyzing data and using real data and scientific programs that work to improve instruction. . . . Now, I’m not saying NCLB is perfect. It needs work. But the concept is good. And I think you’ll find that across the country, instruction has improved. (Superintendent of a small, rural district)

In contrast, superintendents were also quick to note the negative consequences of NCLB. Interestingly, many of them talked about how their attitudes toward the SOLs changed after the implementation of NCLB. Prior to NCLB, many of the superintendents recalled negative feelings surrounding the accountability initiative. However, many, in good humor, mentioned that SOLs were much more acceptable than NCLB will ever be. Superintendents spoke of negative consequences in the following terms:

I think the negative has been the stigma that has been placed on some of these schools that work very hard, that show continuous improvement but not as great as others and then they get a failing status and are viewed in a totally different light (Superintendent of a large, urban district)

I’d rather see a growth model where you can say a school has grown from here and shows continuous improvement getting better and better until eventually

you get to the point where you need to be. (Superintendent of a large, urban district)

Similar to the SOL process implementation, NCLB could have been implemented far more effectively. Both processes were built, originally, on the notion that this will be the way to cause failing schools to suffer consequences. Clearly, there are more positive and effective ways to achieve the same desired goal. The architects of both did not do a good job of concealing their intentions. Nevertheless, the expectation in both cases is that school districts will make substantial use of the growing body of achievement data to target resources to areas of need. Indeed, this is the most outstanding byproduct of both processes. (Superintendent of a medium, suburban/urban district)

The measure of success on NCLB is 50 different measures across this country on multiple choice tests which only assess one kind of learning. (Superintendent of a large suburban district)

In summation, positive consequences of SOLs and NCLB include increased collaboration, increased professional development, attention to subgroups, and attention to data-driven instruction. Negative consequences include lack of recognition for progress, increased pressure and anxiety, increased paperwork, lack of adequate funding, and punitive sanctions. Many superintendents expressed the desire for a middle ground. One superintendent of an urban district put it this way:

Well, I mean the positive is that people are focusing on instruction and the improvement of instruction and making sure the curriculum is aligned. And improvement for all students—that has to be a positive. A negative is too much pressure and tension. Somewhere, there could be a happy medium. But all in all, I think it's forced us to be where we should be.

## Activism

All superintendents spoke of activities and programs that had been implemented in their districts to increase the achievement of all underachieving groups. Only one superintendent spoke of programs that were directly aimed at specific minority groups of students. Most were concerned with targeting all struggling learners. Activities that were noted that supported all underachieving students are as follows:

- Community meetings to gain stakeholder buy-in and to determine, through consensus, areas needing improvement.

- Saturday school.
- District–university partnerships (i.e., dual enrollment courses, advanced placement courses).
- Continued curriculum alignment.
- Parent centers (staffed with school personnel and available after school hours during afternoons and evenings).
- Disaggregated reports required at individual schools each 9 weeks to allow for a more proactive approach.
- Professional development in the areas of curriculum (math and reading), data analysis, and supervision and evaluation of teachers.
- Before- and after-school tutorial programs.

Although all of these efforts are laudable, they were not initiated in recognition of differences among groups of underachieving students. The above efforts targeted all underperforming students and, in many cases, any student with interest. In contrast, although superintendents, for the most part, did not verbally share that the following efforts were targeted toward specific groups of underachieving students, data show that the following strategies were, indeed, utilized to increase the achievement of at least two specific minority groups—African American students, in all cases except for one, where Native American students were targeted.

- Faith-based partnerships with local churches.
- NAACP-sponsored forums and meetings to look at gaps and suspension rates.
- Partnerships with local universities to promote college attendance and enrollment and to begin to provide a K-16 learning environment and seamless transition from the K-12 to the higher education environment.
- Diversity council–sponsored district studies with the purpose of creating multicultural objectives to work toward.
- Community Saturday schools. (Saturday schools were used in many cases as a means of targeting all populations of underachieving students. However, in one district, Saturday schools were used as a way of reaching specific groups of minorities in their neighborhoods and were within walking distance of homes and off of school grounds.)

Neither district demographics nor superintendent beliefs made a difference in the implementation of strategies that affected specific minority groups. Truly, all superintendents were struggling to meet the needs of all students, even to the point of total individualization of instruction. However, it is critical to note that the one factor that held true across districts where specific minority groups were targeted was community stakeholder involvement.

Even further, in those districts where strategies actually targeted specific minority populations, community activism was present (activism being distinct from lower levels of involvement). In these instances, community members (made up of specific minority representatives) made the difference in determining whether population-specific strategies were employed.

## SOL Test Score Data

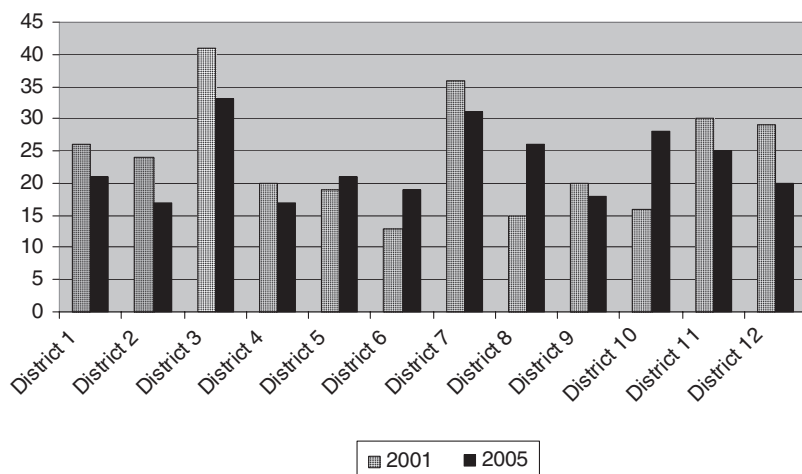
Disaggregated SOL test score data were acquired for the superintendents' districts from the Virginia Department of Education and analyzed for the years 2000-2001, 2001-2002, 2002-2003, 2003-2004, and 2004-2005. SOL data, rather than AYP data, were tabulated and analyzed for comparison in an effort to include years prior to the implementation of NCLB to gain a broader sense of where things stood in Virginia before and after NCLB. Percentage passing numbers were rounded and broken down by the following categories: White, Black, Hispanic, Native American, Asian, and Unspecified. The majority of districts, although suffering setbacks some years, increased their percentage passing numbers for all students from Year 1 to Year 2. However, although achievement on the SOLs increased for all students, gaps remained between groups each year. In fact, the largest gap (a 41-point difference) within a single district in 2000-2001 existed between Black and White students. And, again, in 2004-2005, the largest gap (a 33-point difference) existed between Black and White students (see Figure 1).

In most every district, the widest achievement gap was between Black and White students. The smallest gap typically existed between White and Asian students. Although gaps for the most part decreased, in several instances they increased. For instance, when comparing the largest gaps between subgroups (which were between Black and White students) in 2000-2001 and 2004-2005, the SOL achievement gap actually increased in four districts (see Figure 1). Furthermore, when comparing the largest gaps between subgroups for the 2000-2001 and 2004-2005 academic years, the *averages* across all 12 districts differed by only one point (average = 24-point gap in 2001, average = 23-point gap in 2005), indicating that much work is left to be done.

## Theoretical Discussion

Superintendents represented a wide range of district environments. Though wary of the political intentions behind NCLB, most superintendents had worked to promote the legislation and accomplish the outlined goals.

**Figure 1**  
**Comparison of Largest Achievement Gaps (Identified as**  
**Being Between Black and White Students)**



Although they agreed with the need for attention to low-performing groups, all of the superintendents believed negative sanctions and punitive measures had worked against them in many ways in the drive toward increased student achievement. All of the superintendents believed that much negotiation must occur for the law to become a realistic goal. Most argued in favor of allowances for retesting, additional funding, and modified expectations for special-needs students. No superintendent expressed dismay at having to hold all students to high expectations. All spoke in favor of the disaggregation of data and data-driven decision making.

Data support the assertion that superintendents have directed immense efforts in their districts and have taken the learning needs of *all* students to heart in terms of standardized test scores. And in comparison to superintendent responses and actions 5 years ago (see Grogan & Sherman, 2003), positive growth should be recognized. It is clear that in many districts discussions surrounding test-score gaps among various groups of students are no longer closed to the public. Superintendents, school administrators, teachers, parents, and community members alike are involved in discussions of test-scores gaps.

Although it seems likely that NCLB served as a catalyst for discussions and attention to subgroups in many districts, superintendents were wary of attributing much else to the federal policy. In addition, superintendents were much more expressive in terms of outlining their beliefs regarding the importance of achievement for all students, including traditionally underachieving populations of students, than prior to NCLB.

Superintendents and communities should be recognized and commended for taking the first steps toward increasing the achievement of all students. However, my intention for this article is to begin an analysis and discussion of superintendents' perceptions of and actions toward the elimination of the achievement gap through the lens of CRT. CRT works to uncover unjust practices and assumptions in schools, encourages ideas of action, and offers a framework from which to raise additional questions.

Although many superintendents reported reduction (the term *reduction* was used loosely in most cases by the superintendents and did not necessarily denote significant narrowing of gaps) in achievement gaps on standardized tests, most superintendents spoke of the fluctuating nature of gaps between students. Several reported gaps decreasing one year only to increase the next. And none of the superintendents who had experienced this phenomenon were able to identify causes. In fact, the average largest gap (between Black and White students) decreased only 1 point in 5 years from 2000-2001 to 2004-2005. However, one superintendent of a large, suburban district spoke to the complexity of issues of diversity and commented, "We have to reverse deeply rooted racist practices. . . . And you're not going to do that by raising standards or test scores! *It so misunderstands the depth of the problem.*"

Furthermore, the binary between Black and White served, in most cases, to silence and make other minority groups invisible. When asked to provide student demographic information in their districts, many superintendents spoke of their minority populations in the binary opposition of White versus minority (*minority* being defined as Black) rather than identifying each race or ethnicity represented in the category of minority. Failure to recognize all minority populations denies certain groups the "legitimacy of their oppression" (see Chang, 1995, p. 327). Along the same line of thought, we must ask whether it is appropriate to think of our students only in terms of the racial groups they represent. Where are differences *among* the members of all groups of students recognized?

Is race or class more important when explaining the achievement gap between groups of students? It is evident that the majority of superintendents were much more comfortable attributing low achievement to poverty, perhaps because of the misunderstanding that colorblindness will eliminate racism

(Scheurich & Young, 1997). Intentions to remain colorblind in regard to students caused invisibility to unique needs. Refusal to recognize race and racism as factors that contribute to test-score gaps by many superintendents indicates that, unfortunately, racism is indeed ordinary (Delgado & Stefancic, 2001) and, in turn, invisible to some. Racial separation is only the most obvious symptom of subordination (Bell, 1995); “unequal and inadequate resources and exclusion of voices in policy decision-making are less obvious” (p. 232). According to Haney Lopez (1995), “Human fate still rides upon ancestry and appearance. The characteristics of our hair, complexion, and facial features still influence whether we are figuratively free or enslaved” (p. 192). Haney Lopez goes on to say that the socially constructed category of race determines economic prospects and selects career paths. Might race also govern success or failure with NCLB mandates? Successful schools are likely to spend more than average, have low teacher–student ratios, have little to no diversity, have few poor students, have few special education students, pay teachers more, and have low student mobility rates (Wood, 2004b, pp. 46–47). According to one superintendent of a medium-sized, urban district, “If we’re interested in making certain that where a student lives does not affect his or her educational opportunity, then NCLB doesn’t do that.”

Although poverty certainly plays a role in the underachievement of some students, it is not the sole cause of gaps. Few superintendents had a solid understanding of the interplay among poverty, race, and racism. However, one superintendent, when asked to explain why children of color or children from low-income homes struggle in schools, was surprised by my use of the word *or* in our interview. This superintendent was so accustomed to hearing the terms *poverty* and *race* used interchangeably that he was taken aback. He stated,

I’m glad you said *or* because way too many people say AND—that children of color and children of poverty are always the same thing. They’re not. There are cultural differences. There are language differences. . . . And focusing on test scores doesn’t necessarily guarantee this recognition.

Neighborhood affiliations often do factor into school quality. In poor communities (often also majority minority), local taxation cannot serve to support schools when no other gaps (i.e., health care) have been targeted for change. Instead, “failure” labels serve only to bring ineffective teachers into schools and the loss of federal funding. Furthermore, “choice” options reaped little to no benefit for those students and families in the superintendents’ districts who most need it. Minority parents often did not understand their options or were unequipped or unable to advocate for school changes.

Deeper levels of change require a commitment to multilayered approaches to diversity awareness and actions and practices entrenched in an awareness of ethics, social justice, and care. These things must happen outside of and in addition to the narrow focus on achievement gaps as measured by standardized tests outlined in federal policy. According to one superintendent,

I think the answers are complex and not reduced to law. Some people say the civil rights legislation changed things and we're in much better places because of the Civil Rights Act of 1965 and the *Brown* decision. But the truth is that schools are still being segregated in special education and by geography and the reality is that we've got to get to much deeper levels of teaching and learning. That's what's going to make a difference.

Complex conditions generate inequality, and there is no silver bullet, not even giving attention to test-score gaps, that can work alone to ameliorate it.

## Implications and Conclusion

Lewis (2001) describes a crucial difference between multiculturalism and critical multiculturalism or antiracist education. She expands on Rezai-Rashti's (1995) thoughts on studying the history and practices that support racism as opposed to the minimal celebration of diversity to counteract biased attitudes. This, indeed, is one of the shortcomings of the NCLB legislation. Though NCLB seems to have promoted a greater awareness of achievement gaps through AYP requirements and has given some visibility to minority groups, it stops short of calling for an audit of assumptions and practices that drive instruction and leadership practice.

According to Lewis (2001), critical multicultural education, as opposed to traditional multicultural education, says that, "although we cannot ignore social, cultural, and home factors, much of the blame [for student failure] must be located in institutionalized racism in the classroom, school, and society" (p. 803). School districts across the nation must examine school practices and outcomes that feed inequality. This cannot be accomplished if we continue to operate under the false notion that achievement gaps can only be attributed to poverty or if we pride ourselves on colorblindness and strip individual students and student groups of the history and culture that makes them unique. Analyses of curriculum and instruction must be undertaken to facilitate diversity awareness and greater global awareness and greater access and opportunity for all.

In addition, professional development must exist outside of the usual content areas. Superintendents, administrators, and teachers alike need to



gain understandings of the various backgrounds of students so that they can “meet them where they are” and appreciate their personal and familial experiences. Recognizing differences among students in terms of racial groups is only a beginning. We need to continue moving forward until recognition of the differences among individual students occurs. One way to move from the mere acquisition of information to the transformation of instruction and transfer of practice is through the development of professional learning communities (i.e., study groups, literature circles). True change requires continuous dialogue (Roberts & Pruitt, 2003) and time for those involved to reflect on their own cultures and how they affect school practice (Trumbell, Rothstein-Fisch, & Greenfield, 2001). We must ask ourselves how we can make racism more visible because activism cannot occur without uncovering assumptions. Furthermore, diagnosing student weaknesses necessitates a far greater awareness than test scores alone can provide. NCLB has not and likely will not yield conditions conducive to building cultural capacity. As indicated by one superintendent participant, the achievement gap is a complex issue that cannot and will not be resolved through an accountability policy such as NCLB alone because it fails to call for substantive change that runs any deeper than test scores.

Policy negotiations must take place in regard to the original NCLB legislation. The superintendents interviewed advocated for increased funding, modifications for the special education population, value-added measures to recognize individual student growth, and multiple methods of measurement of achievement. Other areas that should be addressed include equalized or equitable funding (in addition to increased funding), increased federally supported minority intervention, and increased early education programs and funding. The one-size-fits-all approach to raising student achievement clearly does not eliminate or reduce gaps, just as the one-size-fits-all approach to testing does not eliminate failure or guarantee school success. The inclusion of additional and diverse voices in policy and decision making may lead to a greater understanding of the limitations of quick fixes that presume all groups of students will benefit from an umbrella approach that fails to take into account underlying complexities of racism.

Those of us involved in higher education must work as scholars of educational leadership to facilitate superintendent preparation that leads to ethical district leaders who are not afraid to implement programs for specific populations of students and who create district environments that value diversity. Though superintendents in this study held visions of success for all students, many of their actions were inconsistent with this belief. In other words, their espoused beliefs were not often enacted. Preparation programs

have, traditionally, done little to infuse discussions and understandings of racism into the core curriculum (Young & Laible, 2000). We should identify strong preparation programs infused with social justice ideologies and ideas for practice and use these as models. We can show future leaders how to recognize and critique racism, challenge them to take action, and weave this in every course and project requirement. According to Lopez (2003), "School leaders must be prepared to work with individuals who are culturally different and help create learning environments that foster respect, tolerance, and intercultural understanding" (p. 71). We clearly have much work to do because many of the superintendents in this study did not recognize race as a factor in underachievement.

Furthermore, according to a study conducted by Kowalski, Petersen, and Fusarelli (2005), superintendents report the study of politics as an omission or area of weakness in academic preparation. We need to engage superintendent candidates in political discussions and help them identify strategies to add more voices in policy decision making at the local, state, and federal levels. Superintendents interviewed in this study expressed frustration and resentment at specific pieces of the NCLB legislation and need help negotiating with policy makers and explaining and activating their communities, particularly because the key to action (targeting specific minority groups) in this study was community stakeholder involvement and activism.

Superintendents' competence as instructional leaders has amplified in recent years. However, further action is necessary to reach levels of understanding and awareness that will lead to increased cultural competence and capacity in schools. Superintendents and districts can begin by establishing diversity councils and by asking representatives from minority community groups to become involved. Superintendent leadership and community activism is crucial to the success of such a transformation and increased visibility to all minority groups.

Findings indicate that NCLB has not been a strong catalyst for the elimination of the achievement gap in the study population at this time. In superintendent discussions of sense making in regard to NCLB, the legislation did seem to encourage looking at and recognizing achievement gaps and, at the very least, disaggregation of data in many districts. Over time, gaps may decrease as districts become more competent at analyzing data and using it to focus instruction. However, this is likely to happen only if coupled with increased cultural awareness and understanding, modifications to the current NCLB legislation, and more inclusive measures of recognizing student achievement.

In addition, in line with superintendent participant comments, it is clear that the school choice option has failed to serve the population of students

it was targeted to serve. And if successful schools are likely to spend more than average, have low teacher-student ratios, have little to no diversity, have few poor students, have few special education students, pay teachers more, and have low student mobility rates (Wood, 2004b, pp. 46-47), we have much to think about because NCLB has not recognized or compensated for these things to a great enough extent.

CRT demands that we uncover unjust practices and assumptions and encourage ideas of action and gives us a framework from which to raise tough questions. Although some of the superintendent participants have encouraged ideas of action, most were done to improve the achievement of all groups of students without utilizing unique tactics to target specific populations of students. It is also clear that few of the superintendent participants have advocated for reflections on current practices that serve to advantage some students and disadvantage others. Questions have been raised and some practices "tweaked," but, for the most part, discomfort and, in some cases, blindness continue to prevent the asking of critical questions that target racist practices. This discomfort presented itself most recognizably in superintendents' desires to attribute achievement gaps to poverty alone. In short, the NCLB legislation has a way to go before it can be seen as the civil rights directive it was first hailed as being.

## Appendix

### Interview Guide

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1. Please talk a little about the school district and surrounding community.
2. How long have you been here as superintendent?
  - a. What is your vision for the district?
  - b. What are your primary responsibilities in the district?
3. Talk a little about your beliefs in regard to serving the needs of diverse populations of students.
  - a. Why do children of color and children from low-income homes not do well in schools?
  - b. What do you think, in general, about setting higher standards for all students?
4. What are your perceptions/have been your reactions to NCLB (specifically AYP)?
5. What were the district's most immediate reactions to NCLB?
  - a. What about community/parent reactions?
  - b. Teacher/Administrator reactions?
  - c. Board reactions?

6. Looking at specific scores on particular tests, is there a gap between the scores of students who are White and those of minority students?
7. How have SOL test scores in this district changed since implementation of NCLB? Has the gap decreased?
8. What types of attitudes and actions led to these changes?
  - a. Examples of innovative programs and strategies.
  - b. Did NCLB give you the needed excuse to target subgroups and redirect funds?
9. What do you think causes this gap?
10. Is the achievement gap something you can talk about in your community?
11. Describe your role in terms of instruction in the district.
12. What did your classrooms look like before NCLB and what do they look like now?
13. Do all schools have the capacity to eliminate the gap?
  - a. What is missing to do so?
14. What is the superintendent's role in addressing the achievement gap?
  - a. What are you doing as superintendent to eliminate the gap?
  - b. What actions have been carried out/programs implemented that specifically target subgroups?
15. What problems do you encounter in trying to carry out your plans?
16. Has NCLB increased cultural competence? How?
17. Has NCLB led to higher teacher and administrator turnover?
18. What kind of momentum has NCLB had on school choice?
19. What have been the positive and negative consequences of NCLB in your district?

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Note: NCLB = No Child Left Behind; AYP = adequate yearly progress; SOL = Standards of Learning.

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